

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
April 23, 2006  
Tribal Court Room 7500 Odawa Circle  
9:15 a.m. Smudging  
9:30 a.m.

Closed Session: Yes

Call to Order: Meeting was called to order at: 9:34 am

Council Present: Legislative Leader Beatrice A. Law, Secretary Melvin L. Kiogima, Treasurer Shirley Oldman, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Rita Shananaquet, Councilor Mary Roberts, Councilor Regina Gasco Bentley, Councilor Fred Harrington, Jr.

Absent: None

Executive Office Present: Tribal Chairman Frank Ettawageshik, Rebecca Fisher-Executive Assistant.

Legal Staff Present: Matt Lesky

Staff Present: Michael Smith-Administrative Assistant, Dawn Shenoskey-Tribal Court Administrator.

Commission, Boards and Committees: Eleanor Barber-Elders Association/Election Board Vice-Chairperson, Denise Petoskey-Election Board Chairperson, Carol Quinones-Election Board Secretary/Treasurer.

Guests: Carla McFall, Carol McFall, Theresa Henry, Edith Teuthorn, Linda Harper

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Opening Ceremony: Beatrice A. Law

Fred Harrington, Jr. – Honor song for Joe Chingwa, and also acknowledge the passing of Elliot Hughes.

Motion made by Councilor McNamara and supported by Councilor Yellowbank to adopt the amended agenda for April 23, 2006 as presented.

Vote: 8-Yes, 1-No (Councilor Shananaquet), 0-Abstained, 0-Absent

Motion carried

Motion made by Councilor Yellowbank and supported by Councilor Gasco Bentley to approve the Tribal Council Minutes of April 09, 2006 as amended and presented.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried

10:18 am Recess called

10:28 am Meeting resumed

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to adopt Tribal Resolution # 042306-01: Appropriating \$21,901.07 to a New Budget for Foster Care Children and Moving \$24,111.92 from Tribal Court Budget (reference Resolution # 031906-01) to the New Budget for Foster Care Children totaling \$46,012.99 Funds to come from Tribal General Funds prior period fund balance.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington, Jr.-abstain, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion carried

Motion made by Councilor Gasco Bentley and supported by Councilor Yellowbank to adopt Tribal Resolution # 042306-02: Sponsor the Odawa Institute's Anishinaabemowin and Cultural Programming in the amount of \$9,000.00 to come from Cultural Activities Line Item.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington, Jr.-abstain, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion carried

11:12 am Recess called

11:20 am Meeting resumed

Motion made by Councilor Harrington, Jr. and supported by Councilor Gasco Bentley to add Waganakinsing Odawak Statute: Exclude Individuals or Parties from Tribal Lands to the legislative agenda sponsored by Fred Harrington, Jr.

Vote: 6-Yes, 3-No (Treasurer Oldman, Councilor Shananaquet, Legislative Leader Law), 0-Abstained, 0-Absent  
Motion carried

Motion made by Treasurer Oldman and supported by Councilor Roberts to table the Tribal Council Meeting Procedures Policy until next scheduled meeting agenda.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to adopt Tribal Resolution # 042306-03 Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Prevention Strategic Prevention Framework – State Incentive Grant, Little Traverse Bay Bands of Odawa Indians In Collaboration with the Inter-Tribal Council of Michigan, Inc.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington, Jr.-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-no,

Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes,  
Legislative Leader Law-yes  
Motion carried

11:46 am Public Comment: Ellie Barber, Carol McFall Carla McFall,, Denise Petoskey

11:53 am Public Comment Closed

Motion made by Councilor Roberts and supported by Treasurer Oldman to acknowledge the statement ("People must be careful what we say") by Tribal Elder Eleanor Barber during Elders Report.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried

Motion made by Treasurer Oldman and supported by Secretary Kiogima to adopt Tribal Resolution # 042306-04 Directives to the Gaming Board of Directors for the Expansion of the Tribe's Gaming Enterprise.

(Motion on hold in consideration of lunch recess)

12:03 pm Break for lunch

1:31 pm Meeting resumed

(Discussion of previous motion continues regarding proposed legislation)

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington, Jr.-yes, Councilor McNamara-yes, Councilor Roberts-abstain, Councilor Shananaquet-no, Councilor Yellowbank-yes, Treasurer Oldman-abstain, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion carried

Motion made by Councilor Yellowbank and supported by Secretary Kiogima to place the Land Use, Building Regulation and Zoning Statute on the legislative calendar sponsored by Beatrice A. Law.

Vote: 6-Yes, 3-No (Councilor McNamara, Councilor Harrington, Jr., Councilor Shananaquet), 0-Abstained, 0-Absent

Motion carried

Motion made by Councilor Shananaquet and supported by Councilor Gasco Bentley to adopt Tribal Resolution # 042306-05 Closure of Kings Inn.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington, Jr.-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion carried

2:13 pm Recess called

2:18 pm Meeting resumed

Motion made by Councilor Roberts and supported by Councilor Gasco Bentley to accept Treasurer Oldman's written and verbal report of April 23, 2006.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried

Motion made by Secretary Kiogima and supported by Treasurer Oldman to accept Legislative Leader-Law's written and verbal report to include the Executive report as an addendum for April 23, 2006.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried

Motion made by Councilor McNamara and supported by Treasurer Oldman to acknowledge the Waganakising Odawak Clan Paintings displayed in the Tribal Court Room submitted by Tribal Artist David Shananaquet.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried

Motion made by Treasurer Oldman and supported by Councilor McNamara to accept Secretary Kiogima's verbal report on his trip to Escanaba.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to accept Councilor Harrington, Jr.'s verbal report for April 23, 2006.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried

Motion made by Treasurer Oldman and supported by Councilor Yellowbank to approve any Tribal Council member to attend the 2006 Tribal/State Forum at Hannahville Indian Community in Wilson, MI on May 29 & 30, 2006.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried

Motion made by Councilor Shananaquet and supported by Councilor Harrington, Jr. for a Tribal Council member to attend NIGA in Minneapolis in May 2006.

Vote: 8-Yes, 1-No (Secretary Kiogima), 0-Abstained, 0-Absent  
Motion carried

Motion made by Treasurer Oldman and supported by Councilor Shananaquet to acknowledge receipt of the nomination for Joanne Cook for Chief Judge.

Vote: 4-Yes, 5-No (Councilor McNamara, Secretary Kiogima, Legislative Leader Law, Councilor Harrington, Jr., Councilor Gasco Bentley), 0-Abstained, 0-Absent  
Motion failed

Motion made by Councilor Yellowbank and supported by Councilor McNamara to confirm Tribal Citizen Allie Maldonado for the position of Chief Judge for a period of 4 years, beginning in May 2006 and ending in May 2010.

Vote: 5-Yes, 4-No (Councilor Roberts, Councilor Shananaquet, Treasurer Oldman, Secretary Kiogima), 0-Abstained, 0-Absent

Motion failed (In accordance with Constitution)

Motion made by Councilor Shananaquet and supported by Councilor Harrington, Jr., for Executive to bring forward another nomination for Chief Judge.

Vote: 8-Yes, 1-No (Legislative Leader Bea Law), 0-Abstained, 0-Absent

Motion carried

3:25 pm Recess called

3:34 pm Meeting resumed

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to bring forth consideration of Joanne Cook for an interview for Chief Judge of Little Traverse Bay Bands of Odawa Indians.

Vote: 6-Yes, 3-No (Councilor McNamara, Councilor Yellowbank, Councilor Harrington, Jr.), 0-Abstained, 0-Absent

Motion carried

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to go into closed session for personnel issues to be recorded on a separate CD.

Vote: 8-Yes, 1-No (Councilor Harrington, Jr.), 0-Abstained, 0-Absent

Motion carried

3:43 pm Closed Session

Motion made by Councilor Gasco Bentley and supported by Treasurer Oldman to go out of Closed Session.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried

4:00 pm Returned to Open Session

4:06 pm Public Comment Opened: (Andrew Stich, Denise Petoskey)

4:13 pm Public Comment Closed

5:00 pm Motion made by Councilor Harrington, Jr., and supported by Councilor Gasco Bentley to Adjourn at 4:20 p.m.

Vote: 9-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried

These Minutes have been read and approved as written:

Approved:

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Melvin L. Kiogima, Tribal Council Secretary

Date